S.B.Cr.Misc. Bail App. No. 4189/2007
(Iqbal Vs. State of Rajasthan)

Date of order : 07/09/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. J.S.Choudhary for the petitioner.

Mr. Ashok Upadhyay, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and challan papers. I have carefully gone through the statement of injured Ashok as also his injury report.

It is contended by learned counsel for the petitioner that the petitioner was a taxi driver and no overt act has been assigned to him by the injured.

On careful perusal of the statement of injured, it appears that three persons namely Arjun, Javed and Banti were the persons who lifted the injured, put him in the Tata Sumo vehicle, abducted and injuries were caused to injured Ashok.

Be that as it may, so far as the petitioner is concerned, he was only a taxi driver and no overt act has been assigned to him. Without commenting on the merit of the case, looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Iqbal S/o Hasham Khan be

released on bail in CR No. 190/2007 P.S. Basani, provided he executes a personal bond for a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP